

Message Text

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ACTION DHA-02

INFO OCT-01 ARA-06 ISO-00 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 AID-05 SCCT-01 SY-05 /066 W

----- 033045

R 152321Z MAR 76

FM AMEMBASSY MANAGUA

TO SECSTATE WASHDC 9425

INFO AMEMBASSY GUATEMALA

AMEMBASSY PANAMA

AMEMBASSY SAN JOSE

AMEMBASSY SAL SALVADOR

AMEMBASSY TEGUCIGALPA

C O N F I D E N T I A L MANAGUA 1231

E.O. 11652: GDS

TAGS: PINT, NU

SUBJECT: SUMMARY OF ANALYSIS ON HARD CORE HUMAN RIGHTS SIUTATION

REF: STATE 045319

1. EMBASSY POUCHED A-17, THE ANNUAL HUMAN RIGHTS ASSESSMENT ON MARCH 15. IN RESPONSE TO DEPT'S REQUEST CONTAINED IN REFTEL THERE FOLLOWS A SUMMARY OF THE ANALYSIS CONTAINED IN THAT REPORT AS IT PERTAINS TO HARDCORE HUMAN RIGHTS, I.E., FORCEFUL VIOLATION OF PERSON.

2. THE HUMAN RIGHTS SITUATION DETERIORATED SOMEWHAT IN THE PAST YEAR AS A RESULT OF GON RESPONDING TO CHALLENGE OF SANDINIST NATIONAL LIBERATION FRONT (FSLN), A CASTROIST GUERRILLA GROUP WHICH SUCCESSFULLY CARRIED OUT THE VIOLENT SEIZURE OF A DOZEN HIGH GOVERNMENT OFFICIALS IN THE LOS ROBLES NEIGHBORHOOD OF MANAGUA IN DECEMBER 1974. A STATE OF SIEGE HAS BEEN IN EFFECT SINCE THAT TIME. DURING YEAR GON ATTEMPTED TO RUN DOWN THE SEVERAL FSLN GUERRILLA COLUMNS OPERATING IN RURAL AREAS AND MOST HUMAN RIGHTS COMPLAINTS AROSE FROM THE INTERROGATIONS AND

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DETENTIONS CARRIED OUT AS PART OF COUNTER-INSURGENCY SIFTING

OPERATIONS. THE GUARD PROBABLY QUESTIONED SEVERAL THOUSAND PEOPLE AND DETAINED MANY FOR VARIOUS PERIODS OF UP TO EIGHT WEEKS. THE DETAINEES WERE HELD INCOMMUNICADO, THEREBY GIVING RISE TO A MORE OMINOUS ATMOSPHERE THAN WARRANTED BY ACTUAL CIRCUMSTANCES.

3. WHILE COMMUNIST COUNTRIES' MEDIA HAVE CHARGED THE NATIONAL GUARD WITH THE ASSASSINATION OF HUNDREDS OF CAMPESINOS DURING THESE OPERATIONS, THE ALLEGATIONS SEEM WITHOUT BASIS IN FACT. ALL OF THE DETAINEES WHO HAD BEEN MENTIONED SPECIFICALLY IN THESE CHARGES HAVE BEEN ACCOUNTED FOR.

4. PHYSICAL AND MENTAL DURESS IN WIDELY VARYING DEGREES SEEM TO HAVE BEEN PRACTICED ON MANY OF THOSE INTERROGATED AND DETAINED DURING THE SIFTING OPERATIONS. THERE HAVE BEEN WELL-DOCUMENTED CHARGES OF SERIOUS MISTREATMENT SUCH AS METHODICAL BEATINGS, AND OTHER PHYSICAL ABUSES, ALTHOUGH A SIGNIFICANT NUMBER OF LABOR LEADERS AND CAMPESINOS PICKED UP AND TAKEN TO OCOTAL NATIONAL GUARD HEADQUARTERS IN DECEMBER-JANUARY MAY HAVE UNDERGONE SHOCK TREATMENT.

5. THE EVIDENCE AVAILABLE DOES NOT SUPPORT A CONCLUSION THAT GON HAS ENGAGED IN A CONSISTENT PATTERN OF GROSS HUMAN RIGHTS VIOLATIONS. WHILE LOW-LEVEL ABUSES ARISING FROM THE COUNTER-INSURGENCY OPERATIONS MAY HAVE BEEN COMMONPLACE, THE MORE FLAGRANT FORMS DO NOT SEEM TO HAVE BEEN PRACTICED TO AN EXTENT SUGGESTING A PATTERN. FINALLY, THE RELATIVE DETERIORATION OF THE SITUATION HAS BEEN KEYED TO A SPECIFIC STIMULUS---THE FLSN CHALLENGE--AND WITH THE DIMINUTION OF THE PROVOCATION WE ARE FAIRLY OPTIMISTIC THAT THE SITUATION WILL RETURN TO MORE UNREMARKABLE LEVELS.

6. EMBASSY HAS CONCENTRATED ITS APPROACHES TO GON REGARDING HUMAN RIGHTS ON COUNSELING RAISING OF STATE OF SIEGE AND CENSORSHIP, BELIEVING THAT CONTINUATION OF THESE MEASURES BOTH PERMITS AND ENCOURAGES ABUSES IN THE FIELD. MORE RECENTLY WE HAVE BEGUN TO ALLUDE TO ALLEGATIONS OF SPECIFIC, MORE SERIOUS ABUSES, CAUTIONING ABOUT THE EFFECT THAT THESE CHARGES COULD HAVE ON ITS RELATIONS WITH THE U.S. U.S. POSITION HAS BECOME FAIRLY WELL-KNOWN LOCALLY AND WE BELIEVE THAT IT HAS STRENGTHENED THE HANDS OF THOSE WITHIN GON WHO SEEK ELIMINATION OF STATE OF SIEGE FOR REASONS SIMILAR TO OUR OWN.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, ANNUAL REPORTS
Control Number: n/a
Copy: SINGLE
Draft Date: 15 MAR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: powellba
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976MANAGU01231
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760099-0816
From: MANAGUA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760361/aaaacbgj.tel
Line Count: 108
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION DHA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 STATE 45319
Review Action: RELEASED, APPROVED
Review Authority: powellba
Review Comment: n/a
Review Content Flags:
Review Date: 21 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <21 JUL 2004 by izenbei0>; APPROVED <26 OCT 2004 by powellba>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SUMMARY OF ANALYSIS ON HARD CORE HUMAN RIGHTS SIUTATION
TAGS: PINT, SHUM, NU, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006